

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

July 27, 2005
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Keno Hawker, Mesa, Chair	Supervisor Don Stapley, Maricopa County
Mayor Woody Thomas, Litchfield Park,	Councilmember Jini Simpson for Mayor
Vice Chair	Ron Clarke, Paradise Valley
# Councilmember Dave Waldron for Mayor	Vice Mayor Pat Dennis for
Douglas Coleman, Apache Junction	Mayor John Keegan, Peoria
Vice Mayor Betty Lynch for	Vice Mayor Michael Johnson for
Mayor Ron Drake, Avondale	Mayor Phil Gordon, Phoenix
* Mayor Dusty Hull, Buckeye	Mayor Wendy Feldman-Kerr, Queen Creek
* Mayor Edward Morgan, Carefree	* President Joni Ramos, Salt River
Vice Mayor Dick Esser, Cave Creek	Pima-Maricopa Indian Community
Mayor Boyd Dunn, Chandler	Mayor Mary Manross, Scottsdale
* Mayor Fred Waterman, El Mirage	Mayor Joan Shafer, Surprise
* President Raphael Bear, Fort McDowell	Vice Mayor Mark Mitchell for Mayor Hugh
Yavapai Nation	Hallman, Tempe
* Mayor Wally Nichols, Fountain Hills	* Mayor Adolfo Gamez, Tolleson
+ Mayor Daniel Birchfield, Gila Bend	# Mayor Ron Badowski, Wickenburg
* Governor Richard Narcia, Gila River Indian	* Mayor Bryan Hackbarth, Youngtown
Community	Rusty Gant, ADOT
Mayor Steven Berman, Gilbert	Joe Lane, ADOT
Mayor Elaine Scruggs, Glendale	F. Rockne Arnett, Citizens Transportation
Mayor James M. Cavanaugh, Goodyear	Oversight Committee
Mayor Bernadette Jimenez, Guadalupe	

* Those members neither present nor represented by proxy.

Attended by telephone conference call.

+ Attended by videoconference call.

1. Call to Order

The meeting of the Regional Council was called to order by Regional Council Chair Keno Hawker at 5:08 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chair Hawker welcomed Mayor Daniel Birchfield of Gila Bend, who was attending the meeting via videoconference, to the Regional Council. He presented Mayor Birchfield with a Regional Council membership certificate and informed him that MAG agreed to mail the certificate to him in order to save on air quality. The Council welcomed Mayor Birchfield to the MAG Regional Council. Mayor Birchfield thanked the other members.

Chair Hawker introduced the following proxies: Vice Mayor Betty Lynch for Mayor Ron Drake, Councilmember Jini Simpson for Mayor Ron Clarke, Vice Mayor Mark Mitchell for Mayor Hugh Hallman, Vice Mayor Pat Dennis for Mayor John Keegan, Councilmember Dave Waldron for Mayor Douglas Coleman, and Vice Mayor Michael Johnson for Mayor Phil Gordon. Chair Hawker informed the Council that Mayor Ron Badowski and Councilmember Dave Waldron were attending the meeting via audioconference call.

Chair Hawker stated that the RPTA has provided transit tickets for those who used transit to come to the meeting and garage parking validation was available from staff. Chair Hawker noted materials for agenda items #6A, an Addendum to Final Phase Input Opportunity Report and #6B, a revised summary transmittal with corresponding documentation, were at each member's place. Chair Hawker asked Mr. Dennis Smith if there were significant changes on those documents. Mr. Smith answered they were in response to comments received from the public at the Management and Transportation Policy Committee meetings, therefore, MAG wanted to incorporate them for the Regional Council.

3. Call to the Audience

Chair Hawker noted that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out public comment cards. The opportunity for public comment is provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.

Chair Hawker recognized public comment from Dianne Barker who announced that she was from Phoenix and came here on the number three bus which took her about half an hour. Ms. Barker said there are many trips around the valley that just require a couple strong feet and an air conditioned bus. She then thanked the Council for the transit tickets. Ms. Barker reported that she attended the Citizens Transportation Oversight Committee (CTOC) meeting on July 26th and had some questions of CTOC. Her first question was why they were cutting back on bus service in Phoenix when the voters were promised extended hours. She also mentioned her second request, which was related to the Sky Harbor Draft Environmental Impact Statement. Ms. Barker reported that the Federal Government in Los Angeles is conducting an environmental study on Sky Harbor. Ms. Barker stated that she informed staff that there is light rail that is supposed to connect into the proposed people mover and it states in the draft that it will cut down on the emissions. As Vice Mayor Michael Johnson entered the room, Ms. Barker asked if she should stop, since she felt that she was being upstaged and she is only given a few minutes

to speak. She mentioned that she was glad he was there because she wanted to talk about something that was in his district, which was Sky Harbor and the Draft Environmental Impact Statement. Ms. Barker expressed that she is very concerned about this because it is that part of Phoenix that is really in the nonattainment area for ozone and particulates. She went on to explain that the government lists MAG as a responsible agency because MAG has to look at all of the transit, freeway and road programs in the Phoenix area and Sky Harbor is in the Phoenix area. Ms. Barker reported that in the draft, they are not saying the planes don't have emissions, but they don't have the data to support it. She thanked the Council for their time. Chair Hawker thanked Ms. Barker for her comments.

Chair Hawker asked if there were any citizens with requests to speak or address the Regional Council. Since there were none, Chair Hawker closed the public comment period.

4. Executive Director's Report

Dennis Smith reported on Reauthorization. Mr. Smith stated that MAG has been commenting on the Transportation Reauthorization for over a year now, and it appears that the conferees have come to an agreement. Mr. Smith explained the conference report is expected to be filed this evening. He mentioned that only conference committee members and their staff have access to the text of the bill and at this time it is not known exactly what is in it. Mr. Smith went on to explain that if it is completed tonight, votes will be expected tomorrow and Friday and then there will be another extension of the existing Transportation Act in order to give time for the final votes to be completed and for the President to sign it. Mr. Smith stated that some of the things that are being looked at in the Reauthorization are donor/donee and CMAQ issues, which is very important to the region.

Mr. Smith's spoke about the recent homeless heat related deaths in the valley. Ms. Smith stated that MAG has a Human Services program that was the architect of the homeless plan in the late 1980's and 1990's. He reported the region has had 28 heat related deaths—all but 12 of those were homeless individuals according to *The Arizona Republic*. Mr. Smith announced that shelters have extended their hours, the City of Phoenix has been operating a cooling assessment station, and the Day Resource Center has allowed clients to stay overnight. Municipalities can assist by providing sun block, water and shelter within their capacity. Mr. Smith stated that MAG is conducting a special meeting of the Continuum of Care Ad Hoc Committee at 2:30 p.m. July 28 in the Saguaro Room. Mr. Smith mentioned that if the Council had municipal staff that would be interested in attending, to please contact Amy St. Peter or Ayanna Rutherford. Mr. Smith stated that MAG would welcome their attendance.

Mr. Smith's last item was related to Public Involvement. Mr. Smith reported that MAG hosted booths at the 4th of July ceremony at the City of Tempe and at the Scottsdale Realtors Expo at the Marriott Desert Ridge Resort on July 20, where staff distributing Census information. He said they will have a booth at the upcoming Latino Back to School Informational Fair in Sunnyslope. This concluded Mr. Smith's report.

5. Approval of Consent Agenda

Chair Hawker stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the Council can request that an item be removed from the consent agenda and considered individually.

He stated that agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H and #5I were on the consent agenda. Chair Hawker stated that staff was available if the Council had any questions on consent agenda items. No questions nor requests to hear an item individually were noted.

Vice Chair Thomas moved to approve consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, #5G, #5H and #5I. Mayor Shafer seconded, and the motion carried unanimously.

5A. Approval of the June 29, 2005 Meeting Minutes

The Regional Council, by consent, approved the June 29, 2005 meeting minutes.

5B. FY 2007-2011 MAG Transportation Improvement Program Guidance Report

The Regional Council, by consent, accepted the FY 2007-2011 MAG TIP Guidance Report. MAG is starting the process to develop the FY 2007-2011 Transportation Improvement Program (TIP), which is tentatively targeted for approval in July 2006. The first step in the TIP process is the distribution of the TIP Guidance Report (TGR), which was developed to act as a guide to decision makers to facilitate the programming of transportation projects in the region. The TGR contains the application forms for MAG Federal funds and represents the formal request for projects for addition to the FY 2007-2011 MAG TIP. The Transportation Review Committee, the Management Committee, and the Transportation Policy Committee recommended acceptance of the TIP Guidance Report.

5C. Enhancement Funds Working Group Round XIII Recommendations

The Regional Council, by consent, approved forwarding the ranked applications from the MAG Enhancement Funds Working Group to the Arizona Department of Transportation for consideration by the State Transportation Enhancement Review Committee. The Enhancement Funds Working Group was formed by the MAG Regional Council in April of 1993 to review and recommend a ranked list of Enhancement Fund applications from this region to the State Transportation Enhancement Review Committee (TERC). This year, 17 enhancement fund applications for local funds were received totaling \$6,919,441 with approximately \$6 million available statewide. Two applications for state funds were received totaling \$1,078,853 with approximately \$3.4 million available statewide. The Working Group and the Management Committee recommended that the ranked applications be forwarded to the Arizona Department of Transportation for consideration by the TERC.

5D. Proposed Amendment to the FY 2004-2007 Transportation Improvement Program (TIP) for Highway and Transit Projects

The Regional Council, by consent, approved an Amendment and/or Administrative Adjustment to the FY 2004-2007 MAG Transportation Improvement Program to add one new Enhancement Funded Mesa project and several new transit projects, plus make several changes to existing transit projects as shown in attached tables. Following approval of the FY 2004-2007 MAG TIP on November 25, 2003, a project has been identified that needs to be added to the TIP to allow it to proceed during the current fiscal year. A multi-use path project on the Consolidated Canal: 8th St to Lindsay Rd in Mesa was awarded Transportation Enhancement funds in a prior year but was inadvertently declared as being underway in a previous TIP. The project is now ready to proceed, but needs to be re-added to the current TIP. It also

is necessary to either amend the TIP or to carry out some Administrative Adjustments to incorporate several changes to existing transit projects. All of the proposed changes may be categorized as exempt projects or minor project revisions for which an air quality conformity analysis is not required. Consultation on the conformity assessment for the proposed changes is considered under a separate agenda item. The Transportation Review Committee, the Management Committee, and the Transportation Policy Committee recommended approval of the project changes described above.

5E. Federal Fiscal Year 2005 MAG Federal Funds Final Closeout and Amendment/Adjustments to the FY 2004-2007 MAG Transportation Improvement Program

The Regional Council, by consent, approved the changes to the interim closeout and approval of the final closeout of Federal FY 2005, and to amend/adjust the FY 2004-2007 MAG TIP. On June 29, 2005, the MAG Regional Council approved a list of 20 projects to utilize approximately \$20 million in projects for the funds expected to be available for the FFY 2005 Closeout, including the funds released by deferred projects. Three of the projects recommended include Valley Metro Rail studies and all three were listed as needing to be transferred from Federal Highway to Federal Transit Administration (FTA) funds. One of these studies has already been included in the MAG Unified Planning Work Program (UPWP) with existing funds and should therefore be deleted from the Closeout process. The remaining two projects will not be transferred to FTA funds, but will be authorized through the MAG UPWP and the description of the funds need to be changed from STP-MAG-Flex to STP-MAG. In addition, the Regional Council also approved approximately \$6.4 million in contingency projects. These projects are for any additional, supplemental or redistributed obligation authority that may be received. Since that time, three other projects, totaling \$2.7 million, have requested to be deferred, which has effectively reduced the list of contingency projects to five, totaling \$3.7 million. At their June 30, 2005 meeting, the TRC recommended adding two ADOT projects to the list of contingency projects. The Management Committee and the Transportation Policy Committee recommended approval of the Final Closeout.

5F. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2004-2007 MAG Transportation Improvement Program (TIP). The amendment includes a City of Mesa Transportation Enhancement-funded project located at the Consolidated Canal between 8th Street and Lindsay Road for FY 2005. Also, Valley Metro has requested an amendment to transit projects in the FY 2004-2007 TIP to ensure that the Federal Transit Administration Grant Application and the TIP are in conformance. The amendment includes projects that may be categorized as exempt from conformity determinations and minor project revisions that do not require a conformity determination. This item was on the agenda for consultation.

5G. Finding of Conformity for the Draft FY 2006-2010 MAG Transportation Improvement Program and Draft Regional Transportation Plan - 2005 Update

The Regional Council, by consent, approved the Finding of Conformity for the Draft FY 2006-2010 MAG Transportation Improvement Program (TIP) and Draft Regional Transportation Plan - 2005 Update (RTP). The Draft 2005 Conformity Analysis concludes that the draft Transportation Improvement Program and the Regional Transportation Plan - 2005 Update meet all applicable federal conformity requirements and are in conformance with applicable air quality plans. On June 16, 2005,

a public hearing was conducted on the draft TIP, Regional Transportation Plan - 2005 Update, and Conformity Analysis. The MAG Air Quality Technical Advisory Committee and the Management Committee recommended approval of the Draft 2005 MAG Conformity Analysis for the Draft FY 2006-2010 MAG Transportation Improvement Program and Draft MAG Regional Transportation Plan - 2005 Update. Approval of the conformity finding by the Regional Council is required for MAG adoption of the TIP and RTP.

5H. MAG 208 Water Quality Management Plan Amendment for the Proposed Expansion of the Central Buckeye Wastewater Treatment Plant

The Regional Council, by consent, approved the Draft MAG 208 Water Quality Management Plan Amendment for the Expansion of the Central Buckeye Wastewater Treatment Plant. The Town of Buckeye has requested that MAG amend the 208 Water Quality Management Plan to include an expansion of the Central Buckeye Wastewater Treatment Plant. The plant is identified in the current MAG 208 Plan for a capacity of 2.0 million gallons per day (mgd) with an Arizona Pollutant Discharge Elimination System (AZPDES) permit discharge. The amendment includes a facility expansion to 16.6 mgd ultimate capacity with the AZPDES discharge and a facility name change to "Central Buckeye Wastewater Treatment Plant." The Maricopa County unincorporated area is within three miles of the project, and the County has indicated it does not object to the facility expansion. The MAG Water Quality Advisory Committee and the MAG Management Committee recommended approval of the Draft 208 Plan Amendment.

5I. Draft MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Two Regional Water Reclamation Facility

The Regional Council, by consent, approved of the Draft MAG 208 Water Quality Management Plan Amendment for the City of Surprise Special Planning Area Two Regional Water Reclamation Facility. The City of Surprise has requested that MAG amend the 208 Water Quality Management Plan to include the Special Planning Area Two Regional Water Reclamation Facility with an ultimate capacity of 10.5 million gallons per day. Reclaimed water from the facility would be disposed through recharge, reuse, and a potential Arizona Pollutant Discharge Elimination System discharge. The City of Peoria and Maricopa County unincorporated area are within three miles of the project, and both have indicated they do not object to the facility. The MAG Water Quality Advisory Committee and the MAG Management Committee recommended approval of the Draft 208 Plan Amendment.

6A. FY 2005 MAG Final Phase Public Input Opportunity

Chair Hawker stated that public comment and combined action on agenda items #6A, #6B, and #6C would follow the presentations and Committee discussion.

Jason Stephens reported on the input received during the Final Phase Input Opportunity, which was received from part of May through mid June on MAG transportation plans and programs. Mr. Stephens noted that as part of this opportunity, MAG co-sponsored several public input opportunities in May and June 2005 with the Arizona Department of Transportation, Valley Metro and Valley Metro Rail. An open house/public hearing was held June 16, 2005 to provide information and receive comment on the Draft FY 2006-2010 Transportation Improvement Program (TIP), the Regional Transportation Plan -

2005 Update and Draft 2005 MAG Conformity Analysis. He said that comments received during these input opportunities and staff responses to comments are included in the Final Phase Input Opportunity Report. Mr. Stephens stated that MAG has an adopted four-phase public involvement process – early phase, mid phase, final phase and continuous involvement. The Final Phase provides residents with a final opportunity to input into plans and programs before the TIP is approved by the Management Committee, TPC and Regional Council. Mr. Stephens stated that during the Final Phase, MAG received public comment at its policy committee meetings, as well as at other events that were held in conjunction with ADOT, Valley Metro and Valley Metro Rail. During the Transportation public hearing, a court reporter was in attendance to record citizen comments verbatim and all comments received during the phase were responded to in the Final Phase Report. Chair Hawker thanked Mr. Stephens for his report. No questions from the Council were noted.

6B. Approval of the FY 2006-2010 MAG Transportation Improvement Program

Paul Ward provided a presentation on the development of the FY 2006-2010 Draft MAG TIP. Mr. Ward explained that each year MAG updates the Five Year TIP, primarily by adding a fifth year. All federally-funded projects and regionally significant transportation projects, including city and privately-funded projects, must be included in the draft TIP for the purpose of meeting the air quality conformity analysis requirements. The Draft FY 2006-2010 TIP was approved by Regional Council in April 2005 to undergo this analysis, which is now complete. A public hearing on the draft TIP was conducted on June 16, 2005. The Transportation Review Committee, the Management Committee, and the Transportation Policy Committee recommended approval of the Draft TIP, contingent upon a finding of conformity.

Mr. Ward explained that all projects originally come from the 2004-2007 TIP and RTP. MAG federally-funded projects are normally handed in or requested and approved by MAG Regional Council by December. ADOT and transit projects are submitted in December and agency projects by the end of January. Mr. Ward went on to explain that a Draft TIP for a conformity analysis is prepared in the April/March time frame and the conformity analysis is usually completed in May/June. Regional Council approval of the TIP is tonight and federal approval of Air Quality Conformity Analysis in July/August. Mr. Ward stated that approval by the Governor's designee is expected to occur in August/September and the incorporation into the STIP in September/October.

Mr. Ward conveyed that changes to projects in the Draft TIP during the development process are sent to member agencies by means of Errata Sheets, which are approved at various points in the process. He informed the Council that changes to the TIP occur on a regular basis. The main changes to the TIP are to the funding types or addition, deferral or scope changes, including closeout actions. Mr. Ward confirmed that no regionally significant changes are allowed after the Draft TIP is approved for air quality conformity analysis, which occurred in April. Any changes or any new regionally significant projects that are submitted after that point in time will have to be put forward as a TIP Amendment. Mr. Ward confirmed that there are no TIP Amendments at this time.

Mr. Ward stated that the projects listed in the FY 2006-2010 Draft MAG TIP include more than 520 street projects; 270 transit projects; 160 freeway projects; and 100 bicycle and pedestrian projects. The total FY 2006-2010 Draft MAG TIP spread over five years is \$5.8 billion. Mr. Ward informed the Council that the largest portion comes from regional highway funds. The remainder comes from local

highway, federal transit and federal highway funds. Mr. Ward explained that almost half of the funding is going to streets, including local arterials. The remainder will go to freeways and transit and for studies and contingencies.

Mr. Ward stated that the MAG federal funds that are currently programmed are almost \$420 million. Mr. Ward expects this amount to rise once federal reauthorization is completed. The largest portion of funds, slightly less than 40 percent, will still go to freeways. As there were no questions for Mr. Ward, the Council moved to the next agenda item.

6C. Approval of the MAG Regional Transportation Plan - 2005 Update

Roger Herzog addressed the Council on the Draft MAG Regional Transportation Plan (RTP) - 2005 Update. Mr. Herzog stated that as part of the process to update the RTP and develop the MAG TIP for the period FY 2006-10, changes have been proposed regarding the phases in which certain projects in the RTP would be constructed. He stated that these changes were included in the Draft MAG Regional Transportation Plan - 2005 Update and the Draft MAG FY 2006-2010 Transportation Improvement Program. Mr. Herzog noted that the changes proposed in the Draft 2005 Update apply to the RTP that was adopted by the MAG Regional Council on November 25, 2003; and amended on June 23, 2004. He stated that to comply with the 1990 Clean Air Act Amendments, a conformity analysis was conducted on the Draft MAG Regional Transportation Plan - 2005 Update and the Draft MAG FY 2006-2010 Transportation Improvement Program. Mr. Herzog advised that this analysis has demonstrated that the Draft 2005 RTP Update and Draft FY 2006-2010 TIP meet air quality conformity requirements. He noted that a public hearing was held on June 16, 2005 on the Draft 2005 RTP Update, Draft FY 2006-2010 TIP, and air quality conformity findings, and comments received at this hearing are provided in the FY 2005 Final Phase Input Opportunity Report. He also indicated that the MAG Transportation Review Committee, the MAG Management Committee, and the Transportation Policy Committee had recommended approval of the 2005 Update. No questions from the Council were noted.

Chair Hawker asked if there were any requests from the public to address items #6A, #6B or #6C. Hearing none, he entertained a motion. Vice Chair Thomas moved to accept #6A, the FY 2005 MAG Final Phase Public Input Opportunity; to approve #6B, the FY 2006-2010 MAG Transportation Improvement Program contingent upon a finding of conformity of the TIP with the applicable state and federal air quality implementation plans; and approval of #6C, MAG Regional Transportation Plan - 2005 Update contingent upon a finding of conformity of the RTP with the applicable state and federal air quality conformity implementation plans. Mr. Arnett seconded, and the motion carried unanimously.

7. Williams Gateway Freeway Preferred Alignment

John McNamara, consultant for DMJM + Harris, addressed the Council on the Williams Gateway Freeway Alignment and Environmental Overview Study. Mr. McNamara stated that Williams Gateway Freeway is an element of the MAG Regional Transportation Plan approved with the passage of Proposition 400. He reported that beginning in November 2004, MAG initiated an Alignment and Environmental Overview Study for the future Williams Gateway Freeway. Mr. McNamara pointed out that there were three objectives to the study: 1) to identify a preferred alignment; 2) to conduct an environmental overview; 3) to conduct preliminary engineering to identify right of way and interchange locations and to refine cost estimates established in the Proposition 400.

Mr. McNamara informed the Council that 18 Stakeholder interviews were conducted in December, January, and February, along with a public open house on March 24. He provided a map of the study area. Mr. McNamara then explained the technical process that was used in the study. Mr. McNamara explained that in Tier One, the criteria considered consistency with Regional Transportation Plan, consistency with local general plans, Williams Gateway Airport impacts, and major land use or economic impacts. Mr. McNamara stated that in Tier Two, more detailed criteria were then used, including economic development, consistency with general plans, local transportation access and compatibility, environmental compatibility, cost minimization, and Pinal County considerations. He indicated that three final corridors that emerged from the analysis were Alternative 3 - Frye Road, Alternative 5 - Willis Road, and Alternative 7 - Ryan Road. Mr. McNamara stated that the study then continued on with the Tier 3 analysis that included mobility, safety, consistency with general plans, access for population and employment, the natural environment and Pinal County considerations. He advised that Tier 3 analysis showed that Alternative 3 - Frye Road scored the highest. Mr. McNamara displayed a table that showed the results of the analysis by corridor. He stated that Alternative 3 - Frye Road was recommended because it meets the goal of the corridor to provide regional mobility, it outperforms other alternatives related to mobility, general plan consistency, access, and physical environment, had the lowest estimated cost and within the programmed budget of the RTP, is supported by the Arizona State Land Department, and is compatible with related ADOT planning efforts. Mr. McNamara also indicated that the study process briefly looked at superstreet/parkway concepts providing access to the freeway from Queen Creek. This information was included in an appendix to the study report.

Chair Hawker announced that Mr. Gant would like a statement read into the minutes. Mr. Gant stated that on behalf of Joe Lane and himself, the Arizona Department of Transportation abstains from voting on the Williams Gateway Freeway Preferred Alignment, as defined in the information summary for Agenda Item #7 dated July 5, 2005. ADOT currently is conducting the Williams Gateway Corridor Definitions Study. The boundaries of this study encompass those of the MAG Williams Gateway Freeway Alignment and Environmental Overview, and extend into Pinal County. The ADOT study, which is not yet complete, will define a general corridor, but will not establish a specific alignment within either Maricopa or Pinal Counties. In addition, the ADOT study will state no position on a specific alignment within Maricopa County. Therefore, ADOT cannot take a formal position on this item at this time.

Mayor Berman referenced the report that stated Alternative Three was the least expensive. He asked what the cost difference was between Alternative 3 and Alternative 7. Mr. McNamara responded the midpoint for Alternative 3 was \$288 million, Alternative 5 was \$328 million and Alternative 7 was \$348 million.

Vice Mayor Dennis asked in reference to the appendix on the superstreet concept, if that was going to be a part of the design concept and environmental evaluation or is that separate and it is just being noted. Chair Hawker replied that it was his understanding that it was just being noted. He stated that Mesa has a partnership with Queen Creek at Williams Gateway Airport. They are one of the contributing partners as is Gilbert and the Gila Indian Reservation. Chair Hawker explained that part of what is being done for the future of the Airport is to make sure the street concept in the area is intact and that the Ryan Parkway may be a part of that. There is a major arterial that Mesa was going to fund just north of that,

which would not need to be built. Chair Hawker went on to explain that Mesa was trying to switch around some monies to accommodate a north/south major arterial street network that works for the whole community.

Mayor Feldman-Kerr moved the selection of Alternative 3 - Frye Road as the preferred alignment for the Williams Gateway Freeway in Maricopa County and recommend to ADOT that Alternative 7 - Ryan Road be considered in the design concept/environmental evaluation conducted by ADOT. Supervisor Stapley seconded and the motion passed with Joe Lane and Rusty Gant abstaining.

8. Update on Critical Issues with the Maricopa County Air Programs

Bob Kard, Director of the Maricopa County Air Quality Department, updated the Council on the Department's efforts to address air quality issues in the region. Mr. Kard addressed staffing in the Air Quality Department.

He reported that out of 12 positions available, four have been filled, four were posted internally, and four more would be posted internally by the end of the week. Six other positions will open in late August once the County budget is settled. Mr. Kard noted that the County recently hired a Deputy Director, Steve Fowers.

Mr. Kard went on to explain that the report for the Title V Program, for which the County received the Notice of Deficiency by the EPA, is due on August 18, 2005. He assured the Council that he will have the report in several days in advance. He stated that several of the items of deficiency listed in the report have already been corrected. In fact, in the first 60 days most were taken care of. Mr. Kard went on to explain that there were a few longer-term projects but they will be met within the 18-month deadline that the EPA set for the County. Mr. Kard confirmed that the EPA representative Colleen McKaughan will be present at the September Regional Council meeting. He has received input from the EPA that they are happy with what the County is doing. The threat has long passed as long as the County stays the course, which Mr. Kard fully intends to do.

Mr. Kard announced that there are some community forums coming up in September in the South Phoenix area. They will be held quarterly in all areas of the County. Mr. Kard explained that the County will be hosting a lot of community outreach and he will inform the Council as they develop and will provide them with a schedule.

Chair Hawker stated that in September, the Regional Council will ask the EPA representative whether what Mr. Kard is doing will get the County out of trouble for air quality conformity. He is concerned that only four positions were filled. The Council had hoped this could have been done quicker.

Mr. Kard responded that he is hoping that with the positions that have been filled, the four that are open now and the four that will open the day after tomorrow, that the County will fill these quickly. The Air Quality Department is seeking candidates internally right now because that is what the County wants them to do. Mr. Kard explained that if he does not receive enough successful candidates, he will then open it to the public. Mr. Kard is confident that everything will be fine. He stated that things are going a little slow, the EPA is understanding of that, but they are pleased with what the County is doing.

Chair Hawker asked Supervisor Stapley if he was following this issue. Supervisor Stapley replied that yes he is and his colleagues on the Board of Supervisors are very aware of the problem and they have worked very hard in the last six months to replace management and create a new department dedicated to this issue only. Supervisor Stapley said that Mr. Kard is a consummate professional and did not deserve what he got last month. Supervisor Stapley was embarrassed for the Council. He mentioned that he was unable to be at the meeting due to illness.

Vice Chair Thomas asked Mr. Kard the number of dust control officers on staff. Mr. Kard responded that four positions are filled at the moment and he is using other staff to do work as well. Staff have been assigned during high wind events to go out and look at sites, make sure people are complying with County regulations and are doing routine surveillance and inspections where needed. Vice Chair Thomas thought that six officers were hired initially. Mr. Kard responded that there has been a problem within the industry of people hiring people away from the County. He mentioned that as soon as he hires and trains new employees, they end up getting paid a lot more money to go somewhere else. Supervisor Stapley stated that the County has cross trained staff and are utilizing inspectors to serve dual purposes, including air quality inspections, as well as other duties and responsibilities in order to bridge this gap. Vice Chair Thomas was concerned that the County started with six employees, with a goal of 25 to 35, and they only have four. Vice Chair Thomas stated that even with cross training, that is a concern. Mr. Kard stated that he has four dedicated in that program, but he has a whole host of other inspectors that are cross trained. He explained that he is utilizing them, but it does take them away from other stationary source inspections. Mr. Kard confirmed that they have all hands on deck. Vice Chair Thomas asked how many hands. Mr. Kard didn't have the exact count but he believes in excess of 20. Vice Chair Thomas asked what is the deadline of the threat of nonattainment. Mr. Kard replied 14 months, but he feels the problems will be solved long in advance because most of them have already been taken care of. Vice Chair Thomas wanted to make sure that there was enough lead time after hearing the response from the EPA in September. He stated that it sounds like we are going to have to have our decisions made prior to her visiting. Mr. Kard said that he is on top of it and on task.

Mr. Smith said we are dealing with two issues. The Title V permit issue, which Mr. Kard is talking about and the particulate issue which is dust control. Mr. Smith stated the County has to be clean in 2006, which we are averaging the years. He reminded the Council that we need to be very active around the monitors and make sure we do not have any dust kicking up around the monitors or it would then be very difficult to average the years. Mr. Kard thanked Mr. Smith for the clarification and stated that Maricopa County is doing that.

Councilmember Simpson wanted to clarify that the County has four trained officers and with utilizing the cross trained staff, the County has about 20 staff inspecting. She asked if there were four more to be hired. Mr. Kard confirmed that is correct. He stated that there are four positions filled, four positions posted internally, and four more will be posted by the end of this week, for a total of 12. Mr. Kard also confirmed that in late August the County will post six more positions. Councilmember Simpson stated that hopefully the new hires will relieve some of the other staff to go back to their normal jobs. She wanted to confirm that there are about 20 now in order to pass this inspection. Mr. Kard replied yes, but they will continue to keep everyone cross trained because they think it is important. Supervisor Stapley commented that the weather, monsoon and dust storms, have a direct impact. Chair Hawker asked Mr. Kard if he had the telephone number for the dust complaint hotline. Mr. Kard did not have the number

with him, but will provide the Council with the complaint hotline number as soon as he gets it. Chair Hawker thanked Mr. Kard for the update.

9. Evaluation of Policy Compiling Information of Regionally Significant Development Projects

Jack Tomasik reported that on June 25, 2003 and October 22, 2003, the Maricopa Association of Governments (MAG) Regional Council discussed and approved compiling information on Regionally Significant Development Projects (RSDP). MAG began evaluating projects in July 2003. Mr. Tomasik stated that the project scope was to review developments of regional significance to determine the transportation implications of approving a development of regional significance. The intent was simply to prepare information and interject that information early enough in the process for member agencies to evaluate and make a difference in their planning. MAG reviewed a specified set of documents, general plans and their amendments. Mr. Tomasik confirmed that everything MAG received was reviewed. He explained the criteria involved land use size that would result in 20,000 average daily trips, the equivalent of one lane's capacity in a single direction on a freeway. Mr. Tomasik went on to explain that from July 1, 2003 through April 30, 2005, there were a total of 105 development plans/projects submitted to MAG. Of those, land use information was compiled for 13 projects, and regional transportation impact information for seven. Mr. Tomasik reported that five projects were in Peoria, and initiated a series of meetings among Peoria, Surprise and Maricopa County transportation directors. The RSDP transportation impact information resulted in changes to the City's planned transportation system. These changes are being adopted through a general plan amendment.

Mr. Tomasik then introduced Dave Moody, Transportation Director of Peoria. Mr. Moody said this was a "win-win" for both MAG planning staff, City of Peoria, Maricopa County and other areas. Mr. Moody stated that the City of Peoria was looking at the Northern Peoria study area, which was a brand new territory with no roads so that they would have a clean slate. Using the MAG process along with the other general plans from the towns and County to the west, they were able to lay out a new transportation road. He reported that coming out of that, in addition, in the RTP is the Jomax Road right of way project. Working with that project, they took the information that MAG provided and actually changed their general plan. In addition, there were several other roads for which alignments were coordinated and the number of lanes made consistent. Mr. Moody stated that given the planning that MAG was able to provide, Peoria was able to change their plan. He confirmed that a general plan amendment adopting these changes will go to Peoria City Council this year.

Chair Hawker asked if this entailed any other cities that had different widths or connectivity. Mr. Moody responded that it was Surprise specifically because they were to the west. He stated that it was just the three of them, Surprise, Peoria and the County. Chair Hawker asked if it was a matter of lining up the difference jurisdictional major arterials too, or was that already done? Mr. Moody replied that yes, to some extent, but to some extent they had to actually change. Chair Hawker noted that Mesa is anxious to look at the Williams Gateway Corridor once an alignment is set and complete master planning around it. Chair Hawker appreciated the tools that MAG has and encouraged other cities to take advantage of the ability that MAG has to do modeling for jobs and housing. He stated that it is a tool that he was sure Peoria is glad they used and he hopes that others will in the future.

Vice Mayor Dennis moved to approve the recommendations for Regionally Significant Development Projects. Mayor Feldman-Kerr seconded and the motion passed unanimously.

10. Preparations for Conducting the 2005 Census Survey

Heidi Pahl announced that there are only 35 days from today until selected residents will receive a survey in the mail. She suggested that if there is one thing that the Council can do from now until September 1st, it is to encourage their citizens to complete the Census Survey because it means funds for their community. Ms. Pahl reported that those funds help pay for services such as police and fire protection, hospitals, road improvements, schools and much more. The results of the Survey will be used to distribute billions of dollars in state shared revenues to jurisdictions. Ms. Pahl stated that a week prior to September 1, a letter from the Director of the US Census Bureau will be sent to all households selected to receive the survey. Ms. Pahl went on to explain that the Survey questionnaire with a letter from each jurisdiction's top elected official will be sent August 30, 2005 to all selected households. She noted that all Survey mail materials will be English on one side, Spanish on the other. Ms. Pahl stated that a postcard will be sent out in the second week of September reminding people to complete their Survey and mail it back to the Census Bureau. She advised that if the selected household does not respond to the initial Survey, a second Survey will be sent to the house. If there is still no response, non-respondents will be contacted by telephone or in person.

Ms. Pahl stated that the information compiled from the Survey will include the county's total population, the numbers of people in housing units, group quarters and outdoor locations, the total number of housing units and the total number of occupied housing units. She added that the Survey will not collect information on race, ethnicity, income level, etc., as is done in the decennial census.

Ms. Pahl informed the Council that MAG created a checklist of tasks that each jurisdiction can use to ensure they have a successful Census Survey. Items on the checklist that need to be completed before the next Regional Council meeting are the payments to MAG, the publicizing of the 2005 Census Survey, a list of gatekeepers for the outdoor location sites, and any new annexations or new construction. Ms. Pahl announced that on August 9, 2005 at 10:30 a.m. in the Burton Barr Library, MAG will be holding a press conference to kick off the media outreach phase of the 2005 Census Survey. All Regional Council members are invited to attend this event.

Ms. Pahl commented that one of the best resources for information on the 2005 Census Survey is the MAG Web site, www.census2005.com. It is updated regularly, it is available in English and Spanish and there are free downloads of materials such as the regional brochure, frequently asked questions, logos and employment information. Ms. Pahl advised that in order for jurisdictions to get credit for housing units in their jurisdictions they need to report any new annexations or new construction to MAG by September 8, 2005. Concluding her presentation, Ms. Pahl stated there is a continuing need for Census workers. The Census Bureau continues to recruit workers for their September through December operations. There being no questions, the Council continued on to the next agenda item.

11. Building Lease Working Group Update

Denise McClafferty provided an update on the Building Lease Working Group (BLWG). Ms. McClafferty informed the Council that at the January 10, 2005 Executive Committee meeting, staff

informed the Committee that the lease for the current MAG office space would expire on June 30, 2006. As a result, the Building Lease Working Group was formed to advise MAG on the options available regarding future office space. The members of the BLWG include Mayor Hawker, Mayor Cavanaugh, Mayor Clarke, Phoenix City Manager Frank Fairbanks, and Peoria Deputy City Manager Prisila Ferreira. Ms. McClafferty explained the BLWG recommended that the scope of the project be expanded to include the needs of the Regional Public Transportation Authority (RPTA), Valley Metro Rail (VMR) and the Arizona Municipal Water Users Association (AMWUA). The focus of the project is to have four regional agencies share one building for the convenience and security of elected officials, and to provide optimal meeting room space and adequate parking. Ms. McClafferty stated that the BLWG has met on a regular basis from February through July 2005 and staff has worked with a real estate firm, Cushman & Wakefield of Arizona, on available office space for purchase and lease in the downtown and midtown areas.

Ms. McClafferty explained that an analysis of long-term lease costs compared with purchasing or constructing a building determined that it is more economical to build than to lease. Following the July 15th BLWG meeting, the analysis was revised and the annual cost benefit of construction is now reached at year three. She conveyed that staff was requested by the BLWG to research three options; 1) staying in the current building and working with the City of Phoenix regarding potential additional space, 2) build-to-suit, alone and with other regional agencies and 3) lease-to-own. Ms. McClafferty noted that MAG staff met with the City of Phoenix who confirmed that the fourth floor in the current building would be available in 2008. Staff also met with the City of Phoenix Downtown Development Office to discuss available vacant land, and with ASU's Director of Physical Campus Planning to discuss partnering options with the ASU Downtown Campus. She explained that in discussions with RPTA, VMR and AMWUA, they have all expressed interest in partnering on the purchase or construction of a building. VMR's Board recently approved a 10-year lease with a right to termination in years four through seven. Both RPTA and VMR's current leases expire at the end of 2005 and AMWUA has approximately six years remaining on their current lease and would have to negotiate a buyout. Ms. McClafferty went on to explain that the partnering agencies would need to address how to establish ownership of their space, such as setting up a property corporation with a board of directors, or developing a condominium arrangement where the floors are owned by each individual agency, with the meeting space being shared. She noted that Federal Highway Administration (FHWA) also expressed an interest in acquiring office space in the new building. However, FHWA recently notified MAG that they had been informed that due to being financially involved with MAG, they would not be able to participate in the project.

Ms. McClafferty noted sites that MAG staff researched included: 1) the Central Station, which is part of the downtown ASU campus plans; 2) the property just north of the YMCA on Fillmore and First Avenue; 3) the site at Fourth and Fifth Avenue just north of Van Buren, which is no longer available due to residential development; and 4) the Jewel Box site located on Central, 1st Street, Fillmore and Pierce, which has environmental issues. She reported that in discussions with FHWA, it was determined that the cost of constructing a building could be in MAG's indirect costs, similar to the processing of the rent payments. On June 30th, a coordination meeting was held with the City of Phoenix to ensure that plans were compatible with the vision of the Downtown area. The City of Phoenix indicated their support of the project and offered to develop a finance team to assist MAG in reviewing its financing options, including working through the City of Phoenix Industrial Development Authority (IDA). Ms. McClafferty

noted that based on this information, MAG staff met with the Senior Vice President of Wells Fargo Bank, Public Finance Division in Denver, who indicated that the project could be 100 percent financed. Ms. McClafferty expressed that Wells Fargo provides banking services for both MAG and RPTA.

Ms. McClafferty noted that at the July 15th BLWG meeting, MAG staff presented letters of intent from the regional agencies interested in partnering in a new office building. In addition, MAG recommended issuing a Request for Qualifications (RFQ) for architectural and engineering services. She explained the RFQ would include two phases: 1) programming and planning services with an option to retain the consultant for Phase II, and 2) design and construction services. Ms. McClafferty reported that the Executive Committee and the BLWG recommended issuing an RFQ. She stated if the Regional Council approves proceeding in this process, it is anticipated that the RFQ will be advertised in August. Approval of a consultant and an amendment to the Work Program would then be considered at the September 28th Regional Council meeting. She concluded that this item is on the agenda to approve authorizing MAG to proceed with advertising a Request for Qualifications (RFQ) for architectural and engineering services.

Chair Hawker commented that we have a 20-year transportation program and we have an option to decide whether we want to continue to rent in a building or acquire a building over the next 20 years. Building would allow for structuring a building that has better security systems, better audience participation, and reconfigured meeting rooms which could be used by multiple jurisdictions. Chair Hawker thanked the City of Phoenix for their involvement and for providing MAG the option of the fourth floor in the current building.

Mayor Scruggs wanted to confirm that locations were considered in uptown Phoenix. Ms. McClafferty confirmed that the BLWG looked at some properties in midtown but there were not a lot of options. She indicated that it was the wish of the BLWG to stay close to the light rail line which is considered midtown. She reported the actual cost difference was not much. Chair Hawker said that if the building cost \$50 million and the land is \$4 million, versus \$3.5 million, there is not that much in the overall scheme on where you go for the land requisition cost. With the activities that are going to be in this area over time, Phoenix seemed to be focusing more here, and that seemed a better area for the clientele that will be occupying the building. Chair Hawker said that if a great property surfaced it would not be ruled out.

Mayor Scruggs stated that she dislikes the parking in this building. She feels the ease of getting to a building is important and hoped there would be an alternative that would make it easier. Mayor Scruggs stated that as time goes on it will become much more difficult to get to meetings because of traffic resulting from sports, ASU and other events. Ms. McClafferty confirmed that the criteria include better parking and the ease of getting in and out of a building. Mayor Scruggs asked when MAG goes out for the RFQ, if only locations in the downtown area were going to be considered. Chair Hawker responded that the BLWG looked at other sites, but the focal area for the light rail station was the dominant force. He explained that the top criteria were easy access and proximity to the freeway and light rail. Chair Hawker commented that light rail was a major factor in that anyone could walk to the light rail station, so they could come in from a surrounding community.

Mayor Feldman-Kerr commented that the RFQ is for the design of the building and engineering services, not for specific property. She asked if the site search is still ongoing. Chair Hawker responded that they have to blend in some of the potential sites to develop a footprint that works. Mayor Feldman-Kerr wanted to confirm that we would not be committed to one site and could continue to look at what is available, not only downtown, but elsewhere. Chair Hawker said that was true to a degree, but if a building was designed for a two acre site and then a site is located on an acre and half, then it might not work, so there are some constraints.

Mr. Smith confirmed that it is correct that the BLWG did look at the midtown area, now they are looking at the downtown area, also known as the Copper Square area. He stated that we are trying to stay close to I-10 so that it will be easy for members to get off the freeway and get here. Mr. Smith stated that some of the sites the BLWG looked at were not optimal because the access into the parking garage was restricted by the light rail line. He noted that traffic congestion ruled out one site.

Supervisor Stapley stated the County has assembled four square blocks downtown over the past five years, with the intention of expanding the courts and central administration. He noted that the County leases more than a million square feet in central Phoenix, much of which has escalated in cost over the past five years. The County has come to the same analysis that they need to continue to build additional space. He was surprised that no one contacted the County and discussed participating in those four square blocks. Supervisor Stapley stated that it might be an option but he was not sure if it was close enough to the light rail. He suggested contacting Joy Rich.

Mr. Smith stated that the BLWG did have one brief conversation with the County about some of their needs and it was indicated that 200,000 square feet was needed to house just the Trip Reduction Program and Environmental Services, which would almost double the size of the building. Mr. Smith suggested that if the Regional Council wants to explore other options, an opening could be left in the RFQ so that those options could be brought back. He stated that if this is approved tonight, MAG would submit the RFQ tomorrow to the newspaper and provide some options regarding locations.

Vice Mayor Johnson stated that the City of Phoenix is doing a lot of redevelopment in the downtown area and they are looking into ways to relieve traffic. He feels that when the light rail comes in, there will not be a huge transportation problem. He feels any problems they are facing now are being caused by construction.

Supervisor Stapley asked for clarification about the County's space need of 200,000 square feet. Mr. Smith responded that he spoke to Joy Rich and she was sizing out the departments. He explained that the BLWG thoughts were to get compatible uses in one building. Mr. Smith stated that the transportation agencies fit, and maybe the air quality planning and trip reduction would also fit. Supervisor Stapley stated that the County has four square blocks, and that was worth discussing options. He noted that there are tremendous parking structures already in place. Supervisor Stapley stated that he wanted to put forth that option if it works. He added that there is a lot of synergy that could be gained from participating in that campus and the vision is there.

Mayor Scruggs stated that she would support something that offered some flexibility including looking at the County site because the County is a partner on many things. Mayor Scruggs requested that the focus be on accessibility with an ease of coming in and out of the building and parking structure. She

expressed that it is important that the location be a place that can be accessed without getting in a major traffic jam because there is an event. Mayor Scruggs stated she would support something that offered flexibility.

Mayor Manross mentioned that there are several other organizations that are hoping to partner with MAG. She stated that it will include a lot of people besides elected officials, including all of the various staff, interested parties, and the public. Mayor Manross stated that it makes sense that the building be centrally located and close to various forms of transportation. Mayor Manross noted that she supports the direction the BLWG is going. Mr. Smith stated that the BLWG will make sure that the focus on accessibility is noted in the scope of work.

Mayor Manross made a motion to approve authorizing MAG to proceed with advertising a Request for Qualifications for architectural engineering services and add to the scope of work expanding the site location and to focus on accessibility when it comes to locations. Vice Chair Thomas seconded the motion and it passed unanimously.

12. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Chair Hawker announced that the Management, Executive and Regional Council meetings for August are cancelled. There being no further business, the Regional Council meeting adjourned at 6:30 p.m.

Chair

Secretary